

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

Bail Appl..No. 4496 of 2007()

CMP.5522/2007 of J.M.F.C.-I, NEYYATINKARA

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(CRIME NO.26/2005 OF NEYYATINKARA EXCISE RANGE)

: PETITIONER - ACCUSED

SUDHAN, S/O.DIVAKARAN, KALLAMPOTTA
MELE VEEDU, THOVOTTUKONAM, KULATHAMAL DESOM,
NEYYATTINKARA TALUK, AGED 32.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED BY
THE DIRECTOR GENERAL OF PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 25/07/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J

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B.A.No. 4496 of 2007

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Dated this the 25th day of July, 2007

ORDER

Application for regular bail. Allegations are raised under the provisions of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 2 litres of arrack on 7.04.2005. The petitioner was arrested on 9.07.07 and he continues in custody from that date. The learned Public Prosecutor submits that there is no criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner, who continues in custody from 9.07.2007, can now be enlarged on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj

